

**City of Warwick Planning Board  
Meeting Minutes**

**Wednesday May 3, 2006**

**Members Present:** John J. Mulhearn Jr.  
Rick Robinson  
Attilio Iacobucci  
Philip Slocum  
Jeanne Foster  
Michael Constantine  
George Arnold  
Carter Thomas

**Members Absent:** Vincent Gambardella

**Also in attendance:** Eric Hindinger, Assistant City Engineer  
John Earle, Solicitor

The meeting was called to order at 7:00 P.M.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted seven in favor with Mr. Mulhearn abstaining to approve the April 2006 meeting minutes.

**Public Meeting**

**Development Plan Minor Change**

**Lowe's Home Center**

**Applicant:** Lowe's Home Center, Inc.  
**Location:** 522 Quaker Lane  
**Assessor's Plat:** 230  
**Lot(s):** 41 & 42  
**Zoning District:** General Business/Open Space  
**Land Area:** 28 acres +/-  
**Number of lots:** NA  
**Engineer:** Cataldo Associates  
**Ward:** 9

Attorney K. Joseph Shekarchi represented the applicant and was requesting a minor change in site plan in accordance with Development Review Regulation Section 8.9 "Changes to Recorded Plats and Plans," to construct supplemental drainage improvements and to deposit additional fill material within an existing easement in a General Business/Open Space zoning district.

The Planning Board inquired of the Assistant City Engineer if the Engineering Department was

satisfied with the revisions to the drainage plan.

Mr. Hindinger, Assistant City Engineer, informed the Board that the Department had approved the revisions to the plan.

Being no further questions the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the change does not substantially impact the proposed development or any of the neighboring property and that it meets all of the following criteria:

- 1) There is no increase in the number of lots or dwelling units.
- 2) There is no change to any dimension of the plan, including building envelopes, exceeding twenty percent (20%).
- 3) There is no change in the type of street or driveway.
- 4) There is no change required to any public infrastructure.

The Planning Department recommendation was to grant the requested minor change in site plan with the following stipulations:

- 1) That the applicant shall receive RIDEM approval for the proposed drainage improvements prior to the initiation of any work on the site.
- 2) That Lowe's Home Centers Inc. and/or its successors shall be responsible for maintenance of the existing drainage systems and the proposed improvements.

On the motion of Mr. Slocum, seconded by Mr. Thomas, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant the minor change with the Planning Department's recommended stipulations.

**Public Hearing**

**Major Land Development Project**

**Rhode Island Family Shelter**

**Applicant:** Rhode Island Family Shelter Inc.  
**Location:** 165 Beach Avenue  
**Assessor's Plat:** 331  
**Lot(s):** 278  
**Zoning District:** Residential A-7  
**Land Area:** 18,000 square feet  
**Number of lots:** NA  
**Engineer:** Vision III Architects  
**Ward:** 4

Attorney K. Joseph Shekarchi represented the applicant and was requesting Master Plan approval to construct one additional living unit for a total of seven apartments and a homeless shelter in an existing building with less than required setbacks on a lot with less than the required parking and area in a Residential A-7 Zoning District.

Attorney Shekarchi clarified the record by informing the Board that the homeless shelter noted in the advertisement had been eliminated with the construction of the six affordable housing units.

The attorney then explained that R.I. Family Shelter is a private nonprofit group who provides services and affordable housing to those in need. He informed the Board that the group had converted a building into six affordable housing units and that funding had become available to provide an additional unit for a total of seven units. The attorney informed the Planning Board that all of the construction would be confined to the interior of the building and that there would be no additions to the existing building.

The Planning Board heard the Planning Department's findings and recommendation following the attorney's presentation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring Zoning Board of Review approval to have seven apartments in an existing building with less than the required setbacks on a lot with less than the required parking and land area.
- 3) That there will be no significant negative environmental impacts from the proposed development.

- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:
- 5) That the proposed development possesses adequate and permanent access to a public street.

Planning Department recommendation was to grant Master Plan approval with the stipulation that the applicant shall receive Zoning Board of Review approval to have seven apartments in an existing building with less than the required setbacks on a lot with less than the required parking and land area in a Residential A-7 Zoning District.

On the motion of Mr. Constantine, seconded by Mr. Arnold, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant Master Plan approval with the Planning Department's recommended stipulation.

### **Public Hearing**

### **Major Land Development Project**

#### **Leal Two-Family**

Applicant:	Terry Leal & Maisie Raftery
Location:	18 Kenway Avenue
Assessor's Plat:	376
Lot(s):	122
Zoning District:	Residential A-7
Land Area:	10,200 square feet
Number of lots:	NA
Engineer:	A.J. Desvoyaux P.E. PLS.
Ward:	6

Attorney John Harrington represented the applicant and was requesting Master Plan approval to construct a second story addition with less than the required side yard setback in order to convert a single family dwelling into a two-family dwelling on a lot with less than required land area in a Residential A-7 Zoning District.

Attorney Harrington explained that the property owner had purchased the property approximately one year ago and that the previous property owner still resides in the home. He further explained that the applicant also owns and resides in the house next door at 18 Kenway Avenue. The attorney informed the Board that the applicant intends to construct a second story addition and move her parents into the second dwelling unit.

Attorney Harrington explained that the addition would be contained over the existing home and would not extend over the garage. He also explained to the Board that the applicant would require two zoning variances, one for less than the required area (the property is 300 square feet short of the minimum at 10,200 S.F.) and less than the required side-yard setback (the property has a 14' setback and requires a 15' side-yard setback).

The attorney then introduced Mr. Will Luschwager, Real Estate Expert.

Chairman Mulhearn asked if Mr. Luschwager had a resume. Mr. Luschwager responded that he neglected to bring one and apologized. Mr. Luschwager did testify that he was a licensed broker and appraiser in Rhode Island and Massachusetts and had been accepted as a Real Estate Expert by the Planning Board in the past and that he had testified before the RI Superior Court and before other boards and commissions throughout the State of Rhode Island including the Warwick Planning Board and Zoning Board.

Luschwager stated the he had surveyed the surrounding area and that there were approximately 20 two-family dwellings on both conforming and nonconforming lots in the general area surrounding the property.

Attorney Harrington asked Luschwager if he had formed an opinion as to whether the proposed two-family would have an adverse effect on the surrounding property; Luschwager responded that in his opinion it would not have an adverse effect on the surrounding properties.

Board member Foster asked Mr. Luschwager to describe the other two-family dwellings in the area.

Luschwager responded that they varied from two-families on very large lots to those on 4,000 and 5,000 square foot lots.

Ms. Foster asked if the surrounding area was mostly single family homes.

Luschwager responded to the affirmative, and further stated that there were no other two-families on the same block.

The Planning Board then opened to public hearing.

Ms. Kerry-Ann Lieberman of 315 Pequot Avenue presented a picture of the existing side-yard to show the Planning Board how close the house was to her abutting property. Ms. Lieberman was concerned about the effect of the proposed two-family on her property; she stated that the use would result in additional noise, traffic (cars) and garbage in the area.

Ms. Lieberman informed the Planning Board that there was a group home in the area with eight boys in and out. She stated that she did not want another rental property in the neighborhood.

Mr. John Marx of 23 Kenway Avenue spoke in favor of the application. Mr. Marx stated that he never heard any noise from the property and that applicant's property at 18 Kenway was neat and well maintained.

The Planning Board then closed the public hearing and heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations and

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring Zoning Board of Review approval to construct a second story addition with less than the required side yard setback and to convert a single family dwelling into a two-family dwelling on a lot with less than required land area in a Residential A-7 Zoning District.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive Zoning Board of Review approval to construct a second story addition with less than the required side yard setback and to convert a single family dwelling into a two-family dwelling on a lot with less than required land area in a Residential A-7 Zoning District.
- 2) That the preliminary plan shall depict the existing structure on abutting lot 125, shall depict all existing and proposed utilities, shall include flood information and shall include the interior angles of the subject lot.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci and Mr. Thomas, the Planning Board voted seven in favor with Ms. Foster opposed to adopt the Planning Department's findings and to grant master plan approval with the Planning Department's recommended stipulations.

## **Public Hearing**

### **Major Subdivision**

#### **Cormier Plat**

Applicant: Edward and Debra Cormier  
Location: 65 Palm Boulevard  
Assessor's Plat: 288  
Lot(s): 448  
Zoning District: Residential A-7  
Land Area: 19,555 square feet  
Number of lots: 2  
Engineer: Alpha Associates, Ltd.  
Ward: 2

Attorney John Harrington represented the applicant and was requesting Master Plan to subdivide one lot to create two lots, one lot with an existing structure and one new lot for development with less than required wetland setback in a Residential A-7 Zoning District.

Harrington explained that the owner desired to create two lots; Parcel A, with an existing house and Parcel B, a buildable lot. The attorney explained that the proposed footprint of the new house would meet the zoning setbacks except for the required 50' wetland setback; the proposed new dwelling would have a 40' setback.

Chairman Mulhearn asked if the applicant had received RIDEM Wetlands approval. Attorney Harrington responded that the applicant had not.

Board member Iacobucci asked why the applicant was petitioning the Planning Board without the RIDEM approval.

Attorney Harrington responded that the owner was attempting to expedite the process and that the RIDEM approval was necessary for preliminary approval.

Being no further questions and no public comment the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations and

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring a Zoning Board of Review variance to construct a dwelling with less than the required wetland setback.

- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive a Variance from the City's Zoning Board of Review to construct a dwelling with less than the required wetland setback.
- 2) That both structures shall be connected to the Warwick Sewer System.
- 3) That the preliminary plan shall include a notation that "The existing 18 inch maple tree located in front of proposed "Parcel B" shall be preserved and protected with drip-line tree protection which shall be inspected by the City's Landscape Project Coordinator, prior to the issuance of a building permit."
- 4) That the preliminary plan shall depict the existing structures on abutting lot 429, delineate the edge of existing vegetation/ground cover, shall include the existing 15" diameter drain pipe along the westerly edge of Palm Boulevard and shall provide soil erosion measures for the existing catch basins during construction.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted seven in favor with Mr. Slocum opposed to adopt the Planning Department's findings and to grant master plan approval with the Planning Department's recommended stipulations.

## Public Hearing

### Major Land Development Project

#### **Village at Pawtuxet**

**Applicant:** Village at Pawtuxet, LLC.  
**Location:** 265 Post Road  
**Assessor's Plat:** 291  
**Lot(s):** 47 and the easterly portion of lot 19  
**Zoning District:** Planned District Residential A-7  
**Land Area:** 1.96 acres  
**Number of lots:** 2  
**Engineer:** Geisser Engineering, Corp.  
**Ward:** 1

Attorney K. Joseph Shekarchi represented the applicant and was requesting a combined preliminary/final approval to allow for the development of a 23-unit residential condominium complex with less than the required side setback for an existing building in a Planned District Residential (PDR) A-7 Zoning District.

Shekarchi explained that the project had received Master Plan approval from the Planning Board and a Zone Change from the City Council. He further explained that the owner had acquired additional land thereby completing the land assembly for the development. The attorney completed his presentation by informing the Board that the applicant had performed extensive outreach throughout the process and had not received any objections or opposition.

Being no questions from the Planning Board or public comment the Planning Board then heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.
- 2) In compliance with the standards and provisions of the City's Zoning Ordinance having received a City Council Zone Change PCO-64-05 to have a 23-unit residential condominium complex with less than the required side setback for an existing building in a Planned District Residential (PDR) A-7 Zoning District.
- 3) That there will be no significant negative environmental impacts from the proposed development.

- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, and:
- 5) That the proposed development possesses adequate and permanent access to a public street.

The Planning Department recommendation was to grant preliminary approval with final approval to be through the Administrative Officer with the following stipulations:

- 1) That the applicant shall record an Administrative Subdivision merging the two existing Assessor's Lots prior to final approval.
- 2) That final plan shall include a water connection detail which shall include a double check detector to be installed on the fire line and an RPZ device after the domestic water meter.
- 3) That the final plan shall include a detail sheet sewer sampling manhole and sampling manholes (30" minimum) from every building and that the sewer lines must be cut and capped.
- 4) That the final plan shall include an additional Fire Hydrant installed in proximity to the Post Road driveway; final location to be determined by the City Fire Marshall's Office.

On the motion of Mr. Slocum, seconded by Ms. Foster and Mr. Constantine, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant preliminary approval with final approval to be through the Administrative Officer upon compliance with the Planning Department's recommended stipulations.

**Public Informational Meeting**

**Major Land Development Project/Subdivision**  
**Request for Zone Change**

**176 – 186 Toll Gate Road**

<b>Applicant:</b>	176 Toll Gate Road Associates
<b>Location:</b>	176 – 186 Toll Gate Road
<b>Assessor’s Plat:</b>	246
<b>Lot:</b>	238, 239 & 259
<b>Zoning District:</b>	Office/Residential A-10
<b>Land Area:</b>	1.75 acres
<b>Number of lots:</b>	NA
<b>Engineer:</b>	Ocean State Planners, Inc.
<b>Ward:</b>	8

Attorney Sanford Resnick represented the applicant and was requesting master plan approval of a Major Land Development Project and a recommendation for a Zone Change on a portion of the property from Residential A-10 to Office in order to merge three lots with three office buildings, demolish two of the buildings and construct an addition to the remaining medical office building on a lot with less than required parking.

Attorney Resnick explained that the applicant had an agreement to purchase Assessor’s Plat: 246, Lot’s: 238, 239 and 259 and that the applicant desired to combine the lots and rezone the rear portion from residential to office. The attorney informed the Planning Board that the rezone was necessary to allow an additional 19 parking spaces in order to accommodate the proposed development.

The attorney further explained that the property currently consisted of three medical office buildings and that the applicant wanted to raze one building and combine the two remaining buildings with an addition. The proposed new development would total approximately 25,806 square feet gross floor area (GFA) with a net floor area (NFA) of 20,060 of medical office.

Attorney Resnick further explained to the Board that the applicant was requesting zoning relief to have the parking calculation based on the NFA as opposed to the GFA for a difference of approximately 5,000 square feet. The attorney explained that the difference in square footage was common area, a large foyer, mechanical rooms and an elevator. He concluded that these areas do not require parking because they are not used as office space.

Resnick then introduced Mr. Richard Bzdyra of Ocean State Planners, who addressed issues related to proposed retaining walls contained in a letter from Mr. Roy an abutting property owner. Mr. Bzdyra explained that the walls had not been designed but that he thought the proposal would be to tier the walls not to exceed 4’ in height so that they would not need the extensive structural engineering required for large retaining walls.

Mr. Bzdyra also described the site to the Planning Board including the existence of a wetland abutting the property and explained that all proposed development would be outside of the RIDEM wetland buffer area. Bzdyra further explained that the parking lot would provide for two-way traffic and extensive landscaping throughout, as well as, new drainage.

Board member Slocum asked how much parking relief the applicant was requesting.

The attorney responded that the 126 spaces were required according to the zoning ordinance based on GFA and that the proposal was to provide 101 spaces based on NFA for a difference of 25 spaces.

Being no further questions the Planning board then heard public comment.

Ms. Debra Lee of 171 Toll Gate Road explained that she lived directly across the street from the site and that the development was in front of her bay window. Ms. Lee stated that she had recently spent \$40,000 on home improvements and that she was concerned that the development would result in additional traffic. She also stated that Toll Gate Road was the main ambulance route to Kent County Hospital and that the traffic was already difficult in the area. She also expressed concerns about water for the development because it was located within the Kent County Water Authority service area.

Chairman Mulhearn asked if the existing building were currently being utilized as medical offices.

Attorney Resnick responded that the site currently housed an OBGYN, a medical lab, medical offices and an ultrasound clinic and that the proposal was to provide offices for physical therapy.

Mr. Lewis Roy owner of 192 Toll Gate Road, a single family home abutting the property, was concerned that the proposal included moving the parking lot to within 10 feet of his property. Mr. Roy stated that the parking lot was currently 40 feet from his property. He was concerned about the adverse effects of headlights, exhaust fumes and other automobile related nuisances on his property.

Mr. Bzdyra offered to install a buffer of abbeviate along Mr. Roy's property.

Mr. Roy presented the Planning Board with pictures of the existing embankment between his and the abutting property. Mr. Roy stated that there was a 20 foot difference in elevation in that his property was 20 feet higher than the neighboring property.

Mr. Roy stated that he believed the proposed development constituted an over-intensification of the property, that there was no provision for emergency turnaround in the parking lot, that he was concerned about the construction of a retaining wall and that the development did not have sufficient parking.

Attorney Resnick explained that the engineering had not been completed for the project and that the applicant required a zone change prior to developing engineered plans for the site. He

reiterated that the parking was not necessary because approximately 5,000 square feet of the building was not dedicated to office but was common area, elevators and mechanical rooms.

Mr. Derek Anderson expressed his concerns about this project and about development in the area in general. Mr. Anderson was concerned that the continued development would exacerbate the traffic situation.

Board member Foster expressed her concern about the reduction in parking using the Gate Medical Center, located nearby, as an example of a medical office building without sufficient parking.

Being no further questions or comment the Planning Board closed the public hearing and heard the Planning Department's findings and recommendation.

The Planning Department found the proposal to be generally consistent with Article 1 "Purposes and General Statements" of the City's Development Review Regulations, and:

- 1) Consistent with the Comprehensive Community Plan.
- 2) Not in compliance with the standards and provisions of the City's Zoning Ordinance; therefore, requiring a City Council Zone Change for a portion of the property and a variance for less than the required parking.
- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate access to a public street.

Planning Department recommendation was to grant Master Plan approval with the following stipulations:

- 1) That the applicant shall receive the required City Council Zone Change from residential A-10 to Office for the rear portion of the property along with the required zoning relief to have less than the required parking.
- 2) That the preliminary plan shall clarify, and if necessary extinguish, the right-of-way reflected in the deeds for lots 238, 239 and 259.

- 3) That the developer shall install a six foot stockade fence and landscape buffer between the proposed development and any abutting residential land use.
- 4) That the preliminary plan shall depict the structures on abutting properties, correct the north arrow, depict the northerly edge of Toll Gate Road and portray the relationship between the subject site drive and Gilbert Street.
- 5) That prior to preliminary approval the developer shall provide existing and projected sewer flows which shall be stamped by a Professional Engineer and approved by the Warwick Sewer Authority.
- 6) That the preliminary plan shall include sewer sampling manholes and other pretreatment requirements, as required by the Warwick Sewer Authority.

On the motion of Mr. Iacobucci, seconded by Mr. Constantine, the Planning Board voted unanimously to adopt the Planning Department's findings and to grant master plan approval with the Planning Department's recommended stipulations.

With regard to the zone change, the Planning Department found the proposed zone to be in compliance with the City's Comprehensive Plan including the Goals and Policies Statement, the Implementation Program, the Land Use Element, and Economic Development Element. The Planning Board also found the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100 "Title and Purpose":

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provide for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- (A) The goals and patterns of land use contained in the Comprehensive Plan of the City.
- (E) The availability and capacity of existing and planned public and/or private services and facilities.
- (F) The need to shape the urban and suburban development.

103.11 Promote implementation of the Warwick Comprehensive Community Plan, as amended.

Planning Department recommendation was for favorable action to the City Council with all of the stipulations from the Master Plan approval.

On the motion of Mr. Constantine, seconded by Mr. Iacobucci, the Planning Board voted

unanimously in favor of the proposed zone change with all of the stipulations from the Master Plan approval.

## **Request for an Amendment to the City's Zoning Ordinance**

### **Combination Super Store**

**Applicant:** Warwick City Council  
**Location:** 3275 Post Road  
**Zoning District:** Various Zoning Ordinance Sections including Section 200 Definitions, Table 1 Use Regulations, and Section 302 footnote #7 and Section 605

The Planning Staff explained that the Warwick City Council desires to amend the City's Zoning Ordinance to address the review process governing the establishment of Combination Super Stores in excess of 100,000 square feet GFA.

The Planning Department found the proposal to be in compliance with the City's Comprehensive Plan including the Goals and Policies Statement, the Implementation Program, the Land Use Element and the Economic Development Element.

The Planning Department also found the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance as presented in Section 100 "Title and Purpose":

- 103.1 Promote the public health, safety and general welfare of the City.
- 103.2 Provide for a range of uses and intensities of use appropriate to the character of the city and reflects current and future needs.
- 103.3 Provides for orderly growth and development, which recognizes:
  - (A) The goals and patterns of land use contained in the comprehensive plan of the city.
  - (E) The availability and capacity of existing and planned public and/or private services and facilities.
  - (F) The need to shape the urban and suburban development.
  - (G) The use of innovative development regulations and techniques.
- 103.11 Promote implementation of the Warwick Comprehensive Community Plan, as amended.
- 103.14 Provide for procedures for the administration of the Zoning Ordinance.

The Planning Department recommended favorable recommendation to the Warwick City Council for the requested zoning amendment as revised.

**Revise page one to read as follows:**

200. ( ) Retail Trade – community wide establishment superstore. Any retail establishment which exceeds 100,000 square feet gross floor area and which may also devote more than ten percent (10%) of its gross floor area or combination of its gross floor area to groceries, food and drink items for consumption off site, fruits, vegetables and produce, delicatessen, meat and fish or any items sold at retail which are exempt from sales tax, other than clothing, newspapers, drugs and pharmaceuticals.

Zoning Districts	OS	A-40	A-15	A-10	A-7	O	WB	GB	LI	GI	Inter-modal	Gate-way
503.2 Retail Trade-community wide establishment, more than 2000 sq. ft. GFA, <u>but less than 100,000 sq. ft. GFA</u>	NO	NO	NO	NO	NO	NO	NO	Yes	<b>NO</b>	NO	Yes	Yes

Zoning Districts	OS	A-40	A-15	A-10	A-7	O	WB	GB	LI	GI	Inter-modal	Gate-way
509.1 Retail Trade-community wide establishment superstore more than 100,000 sq. ft. GFA	<u>NO</u>	<u>S 17</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>						

(17) See Section 502.4 for submission criteria for Retail Trade – community wide establishment superstore in GB district.

**Revise Page two to read as follows:**

(7) In GB zones, establishments defined as Retail Trade – community wide establishment superstore, more than 100,000 square feet GFA under Use Code 509.1, may cover a maximum of 150,000 sq. ft. GFA upon receiving a Development Plan Review from the Planning Board and once a Special Use Permit has been granted by the Zoning Board of Review. However, if an applicant proposes the placement of two (2) or more principal use buildings for retail trade on the same parcel of land or on adjacent parcels of land, which may result in any two (2) buildings lying within eight hundred (800) feet of each other then the maximum GFA of each building may not exceed 50,000 sq. ft. GFA total.

**Renumber proposed new Section 605 to become Section 906.3 (E) under Special Use Permit. Also change the reference of “combination superstore” to “superstore” and change the first sentence to read as follows:**

An application to the Zoning Board of Review for a Special Use Permit for the use Retail Trade – community wide establishment, more than 100,000 square feet GFA shall include ...

**Add section 502.4 under the heading “Land Development Project” as follows:**

502.4 Land Development Project - Retail Trade - community wide establishment superstore, more than 100,000 square feet GFA.

Any application to the Planning Board for Development Plan Review and the Zoning Board of Review for a Special Use Permit for the use Retail Trade – community wide establishment superstore, more than 100,000 sq. ft. GFA shall include an impact study which addresses the issues of, but not limited to, noise, illumination, fumes, odors, and physical activity of the proposed site as well as the possible traffic impact, parking, drainage and landscaping requirements and conformance with the City’s Comprehensive Plan.

**Add section 502.5 the heading “Land Development Project” as follows:**

502.5 Land Development Project - Nonresidential

Any nonresidential development or redevelopment authorized by right in Table 1 Use Regulations, authorized by Special Use Permit, or authorized by variance from the Zoning Board of Review which results in excess of 10,000 square feet GFA shall be considered a Land Development Project and shall be subject to Development Plan Review and approval according to the standards contained in the City of Warwick Development Review Regulations.

On the motion of Mr. Slocum, seconded by Mr. Iacobucci, the Planning Board voted unanimously in favor of the proposed Zone Change with the Planning Department’s recommended amendments.

Being no further business the meeting was adjourned.